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WILMINGTON CONVENTION OF 1868  
AND NEW STATE CONSTITUTION.

It is difficult to say which amazement is greater—the impudence of the ignoramus who drew up the *Carby* Constitution. It seems scarcely possible that men should be so ignorant; or, if they be so ignorant, they should be so blind as to undertake the very task of creating the organ of a new State. Yet, it was.

One of the first instances of their ignorance in the law-making appears in the very first article of the Constitution of 1868. That article is entitled "A Declaration of Rights." Now, a Declaration of Rights and a Constitution entirely separate and distinct in their natures and purposes! One is the assertion of natural, inalienable, inherent, God-given rights—these rights which man neither gave nor can take away from man. The other is the machinery which preserves and enforces these rights. As authority for this, we find no further than Blackstone, who says:

"The first and primary end of human government is to maintain these absolute rights of individuals."

The Declaration of Rights of North Carolina contains all the declarations of *Maryland's*, Petition of Rights of *Massachusetts*, and were made by a Committee of men on the 17th of December, 1775, prior to and without reference to the formation of any Constitution. Afterwards, and as the best means to compel a regard for these glorious rights, thus declared to be important and fundamental a Constitution was adopted. The Declaration of Rights was paramount in authority, and it was in power in time to the Constitution, and in case of conflict between the two, the Constitution being the weaker, must have given way. More recently, and by more than one eminent man, has the Declaration of Rights been found to be entitled next to the name of the Declaration of Independence, the highest veneration and regard. It was put forth by our greatest and best men, after full and free consultation with kindred spirits from other States. The elder Adams was especially enthusiastic in his admiration of it. Uttered by even the most ruthless hand that used Declaration, stood like a guardian angel in war as well as in peace over the rights and liberties of the people of North Carolina, from 1775 until the vandals and vampires of the Convention of 1868 came into power, to the Convention of 1865 to WILMINGTON.

It was entrusted the task of re-writing the organic law of the State, but he uttered not a word, changed not a line, of that Declaration. Six columns had clapsided that Declaration began to take shape and during some time or other of that period each word and each sentence had received judicial, construction, and judicial interpretation. About the true intent and meaning thereof there could be no doubt; no wonder then that the great leaders did not tread upon ground so soft. Not so, however, the impious destroyers of everything sacred in the form of liberty; nothing was too bold, nothing too venereal for their sanguine hands. In wanton disregard of the example of the sages of 1775 in wanton disregard of the example of the less eminent sages of 1868, they ruthlessly stripped the great inheritance or memory of its high prerogative to define the God-given rights of North Carolinians. They cleared that the purpose for which the Constitution was framed was a part and parcel of the Constitution itself, utterly compelling every distinction between the "law of all human law," and the laws whereby that object is sought to be accomplished.

And it is such a piece of botch-work and patch-work that the people of North Carolina are asked to accept as their organic law!

THE UNIVERSITY, JEFFERSON DAVIS, AND THE NATIONAL REPUBLICAN.

The New York *World* affects to lead the national Democratic party, but it vastly overstates its influence, if it believes its claim to leadership to have any foundation—at least in the South. Southern Democrats admire honesty and straightforwardness in their policies as in other things. They have, therefore, not admired the *World* since its treasonable proposition to withdraw the names of Seymour and Blair in the presidential campaign of 1868. Since that day Southern Democrats have been unable to believe that the *World* held its first allegiance to the national Democratic party. Southern Democrats have, too, the feelings and passions natural to the human breast. They have, therefore, been unable to work kindly in the *World's* harness because of the harsh and unkind allusions that have, from time to time appeared in the columns of that sheet, as to matters pertaining to, and growing out of, the late war. In addition to this, the impression has been created that the *World* regards the Southern wing of the National Democratic party as composed of hewers of wood and drawers of water, so to speak. The position, too, of the *World* on the currency question, and its evident purpose to force that issue upon us as a National party issue, regardless of the almost unanimous opposition of the South, is not all that deserves the opprobrium surrounding it, but it is not the only reason why that object is sought to be accomplished.

And it is such a piece of botch-work and patch-work that the people of North Carolina are asked to accept as their organic law!

Nothing but the blindest passion would cause a man in the columns of the *World* to touch upon the subject of the Southern Confederacy, and in necessary misstatements as those contained in the following article. If another consideration had prevented its facility with which the truth could be published, would have prevented the appearance of the article in any paper, but it is perfectly true that the *World* feels nothing but personal and blind hate when it refers to North Carolina. And well may North Carolina be not healthy for Radicals.

But, to the article. It is entitled, "Jefferson Davis," and is as follows: After their unsuccessful attempt to plant upon the public the rebel traitor at the Mecklenburg Centennial as a grand affair of history, it was reasonably to be expected that the independent traitors of North Carolina would "die still and slender" for a little while, and not seek to attract public notice upon themselves by a fresh and much more flagrant insult

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WILMINGTON, N. C., FRIDAY, JULY 23, 1875.

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combatant Southern men; it may be a little extra item to destroy Southern farming tools, that when there shall be no bread in the Southern land, Southern women may hear the wail of Southern women and Southern children as the pangs of hunger force them to cry out, but Southern Democrats do not see it, and the sooner the *World* realizes the fact, the better it will be for its own good, and for the good of the National Democratic party.

## DEMOCRATIC ECONOMY AND RADICAL EXTRAVAGANCE.

At all times, and especially in hard times like the present it behoves the people to have an honest and economical government. High taxes, poor crops and low prices are hard to bear even the most honest and the most economical government, but when added to these, there is the other grievance of fraudulent and extravagant expenditure of the people's money. The situation becomes intolerable. It is material then to ask and to know which of the two parties now before the people is the party of economy, and which the party of extravagance. The converts, as far as my knowledge extends, were as true as students were to their professors, and generally are under the religious revivals of the denominational colleges.

But there is not a grand, convincing array of great names on the old catalogues? Is there a true *N. C. Chronicle* which can be found in the memory of the University that trained and sent on to greatness, such men as Judge Murphy, Chancellor Williams of Tennessee, Gov. Branch, Willam R. King, Gov. Manly, Senator Mangum, M. G. Green, D. P. Battle, Dr. T. S. Hart, Dr. J. C. Taylor, John Y. Mason, John M. Morehead, William D. Moseley, William H. Haywood, President Folk, B. F. Moore, William H. Battle, Judge Manly, Robert Strange, D. S. Swan, Gov. Graham, Dr. D. B. Moore, Dr. D. F. Morrison, James C. Dobbin, T. L. Clegg, John W. Ellis, Geo. Davis, Jacob Thompson, Z. B. Vance, M. W. Ransom, Judge Barnes, Judge Mitchell and long list of others, and the list goes on to greatness, such men as Judge Murphy, Chancellor Williams of Tennessee, Gov. Branch, Willam R. King, Gov. Manly, Senator Mangum, M. G. Green, D. P. Battle, Dr. T. S. Hart, Dr. J. C. Taylor, John Y. Mason, John M. 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# Wilmington Journal.

WILMINGTON, N. C.

FRIDAY, JULY 23, 1875

## CONVENTION.

Election, August 5th, 1875.

### FOR DELEGATES:

BRUNSWICK COUNTY,

DAVID S. COWAN,

DULUTH COUNTY,

J. N. STALLINGS,

WILLIAM FARRIOR,

ROBISON,

DUNCAN SINCLAIR,

CALVIN A. MCEACHERN.

EDLADEN,

J. W. RUSS.

CARDETET,

JAMES RUMLEY.

COLUMBUS COUNTY,

FORNEY GEORGE.

ONslow COUNTY,

JAMES G. SCOTT.

SARISOM COUNTY,

S. J. FAISON,

WILLIAM KIRBY.

If, in spite of protest and challenge, an illegal vote is polled, let the proper authorities be at once made before the proper officers, so that the parties thus illegally voting may at once be arrested and thereby prevented from escaping the penalty provided by law in such cases. We repeat, let the proper authorities be made and let the parties fraudulently voting be at once arrested.

Remember that the election law requires "That when a voter is challenged at the polls upon demand of any citizen of the State it shall be the duty of the Inspectors of the Election to require said voter before being allowed to vote to prove by the oath of some other person known to the judges the fact of his residence for thirty days previous thereto in the county in which he proposes to vote."

Remember also that the election law says: "No elector shall be entitled to register or vote in any other precinct or township than the one in which he is an actual or bona fide resident on the day of election, and no certificate of registration shall be given."

### TAXES MUST COME, OR HOME-STEADS MUST GO.

The Constitution does not protect the homestead from the Sheriff's hammer. Taxes must come or homesteads must go. Dishonest, incompetent officials, and extravagant, wasteful expenditures of the people's money, under high taxes are inevitable. But the troubles in North Carolina do not arise merely from incompetent and corrupt officials. If every officer holder in the State was as pure as a vestal virgin, the people would still groan under grievous burdens, for the reason that the Constitution, the organic law of the State, is so bad that it is impossible to have an economical Government in accordance with its provisions.

So long, then, as the present Constitution remains unchanged, high taxes are inevitable, even when the laws are administered by good men. What the result is when administered by bad men, the people know full well from past experience. The negro party, as the records show, spent in two years \$35,771,81 more of the people's money than the white man's party spent in four. Under negro rule it cost the white people of North Carolina \$190,576,90 a year to run the State government, while under the white man's rule, it has cost them on \$226,342,99 a year. A saving in one year of nearly ten times the cost of the Convention!

Now all this money was raised by taxation, and at least nine-tenths of it from the hard earnings of the white man, for every body knows the negro pays little or no property tax. Suppose also for a moment that when the Sheriffs were going through their counties collecting these taxes, these hard working white men had not paid up, where would their homestead be now? Taxes must come, or homesteads must go.

IT IS INEVITABLE, then, on the people to see to it, not only that the officers in charge of these Governments, State and County, should be honest, competent, and economical, but that the Constitution which is to be their rule of action, should not provide modes of Government, necessarily complicated and expensive in their operation. And are not the systems for both State and County Government provided by the Canby Constitution, complicated and expensive in their operation? It is safe to say that a large expenditure of money can not be avoided under the provisions of the present Constitution. But although much money was necessary to carry out the Canby Constitution by its wasteful and corrupt expenditures far exceeded that amount. We have then a bad Constitution that makes taxes high, and with the negro party in power we have bad officers who make taxes still higher, and taxes must come or homesteads must go.

What then does it behove the white people of North Carolina to do if they would save their homesteads? The answer is easy. Let them change their Constitution as rapidly as possible, and let them drive from office every man who belongs to the negro party. When this is done we shall have a good government and good men to administer it. Under its benign influence men's lives, their liberties, and their property will be safe, and peace, quiet, plenty and prosperity once more gladden their hearts. Then, and not till then, will the government be felt through the blessings it bestows rather than through the injuries it inflicts. And then and not until then will homesteads be safe in North Carolina.

### WHICH PARTY WILL THE PEOPLE TRUST?

The Legislature of North Carolina, in accordance with Article XIII., of the Constitution, has by a two-thirds vote of the members of each House called a Convention. That Convention will meet in Raleigh on the first Monday in September next, for the purpose of making the Constitution conform to the wants of our people, and the two parties are before the people asking for its control. One of the two main parties is composed of about one hundred thousand white men, and the other is the negro party, composed of seventy-five thousand negroes, and some fifteen twenty thousand scallawags and carpet-baggers. Which party alone has the right and the important and difficult work of adopting the Constitution to the wants and wishes of the people?

In the first place, does the Constitution need changing, or is it already as good as we wish it to be? We did not agree with Englishmen, weons said at Runnymede, "we are unwilling to change our laws." The white man's party says now as it has always said that the Constitution imposes many grievous burdens upon the people, physical and material respects. The negro party says the Constitution is not a burden but a blessing, and shall remain unchanged if the people shall give it control of the Convention. If, therefore, the people do not like the Canby Constitution, they have the right and the duty of calling a Convention to the Convention, and not the calling of the negro party.

Nor is this the only reason why the negro party ought not to be trusted. Indeed even if it were unequivocally in favor of amendment, it would do so only to get rid of Englishmen, who are ignorant negroes?

White men's party, however, who is unable to pay the above amounts need fear to be deprived of the University. Our esteemed contemporary the *Wilmington Advertiser*, if we are to believe it, first of all, to public attention to the point, and we confess that we can not see how its argument can be answered. It says:

"We are fully satisfied from an examination of the Constitution that officers, either State or Federal, are not eligible to seats in the Convention.

And yet in the face of these plain provisions of the law, the negro party asserts that "there is no tax whatever upon the books of lawyers and professional men." Does this negro party think that white men are to be foisted by such bald falsehoods like a parcel of ignorant negroes? White men may be poor, but that does not put them upon an equality with negroes, either mentally, morally, or socially. Ne-

groes believe anything their Radical masters tell them, no matter how glaringly false. White men acknowledge no masters, and require much more than mere Radical authority to make them believe a Radical assertion.

(From the Charlotte *Observer* and Lawyers' Friend.)

Endorse *Opposition*:

Following other charges made by the Radical majority arises in the campaign in order to prejudice the popular mind against a Convention, is that it is a scheme on the part of the "Lawyers" of the Conservative party to increase the number and amount of the taxes of lawyers and of law, in order to tax the lamest and most vulgar of all, and as being indulged by those whose past lives put them in broad of that sort of organized scutiny in which "lawyers" bear a very important place. The *Advertiser* of Raleigh, in its issue of 1868-'69 did in the same manner of "lawyers' fees" and then what the Conservative Legislature of 1870-'71 did upon the same subject and what the Conservative lawyers did.

Under our old Constitution, the negro party which shall control the Convention, the negro party or the white man's party, that party that made the Canby Constitution must indeed be blamed in its impudence, if it can ask us to believe that the negro party, which did not trust to the power of Constitution making. On the other hand the white man's party fought to the death against the ratification of the Constitution, and failing in that, have been unceasing in its efforts to do what the Conservative lawyers did.

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# Cilmington Journal.

WILMINGTON, N. C.

FRIDAY, JULY 23, 1875

A compliment.

The Raleigh *News* has compliments for our Deputy Sheriff Mr. A. H. Morris; the Deputy Sheriff of New Hanover who brought up six prisoners to the Penitentiary Thursday is an example to be envied and followed. Thirty-five years of age, he has never tasted liquor, wine, cider or beer, has never taken a chew of tobacco or smoked a cigar, does not know a card, has never seen a game of billiards, and is now chief ruler of the Independent Order of Rechabites of Wilmington.

Fire in SWANSBORO.

A friend at Swansboro, Onslow county, writes, under date of July 12th, that the fire which occurred in that place, he says:

"Our quiet little village was thrown into quite an excitement on Saturday morning last, 10th inst., about one o'clock A. M., by the breaking in of a number of barrels of distilled liquor belonging to Capt. Wm. P. Moore, and at the time of the disaster was being run by Mr. John A. Putman, merchant of this place. The store is badly damaged, and some of the buildings are by consequence also damaged. Mr. Moore's goods are heavy, in cases of drams and manufactured stuff, and, coming as it does when the hard-times are bearing heavily upon the strongest, it will be felt more keenly than by those like himself, who are trading for your-selves, and purchase. A few bottles of their claret, with ice, and just such weather as to-day—well, we shall suppose he took arsenic."

The Steamer Champion, from Fort Ticonderoga for Russellton, got ashore near West Point, N. Y.

Eight passengers were landed safely.

Berlin official circles deny that Germany, in conjunction with England and the United States, intend to intervene in Spanish Colonial affairs.

The amount of coin and bullion in the bank of England is the largest ever

seen in our country.

**TERRIBLE DISASTER IN LYNCHBURG.**

Lynchburg, July 14.—About four o'clock this morning the rear portion of the City Hotel fell with a great crash. Fortunately, the five or six rooms destroyed were not fully occupied. An officer turned to help the fallen, which resulted in his being buried in the wrecked rooms. Mrs. L. Brown was killed, T. E. Harris, a commission broker, badly injured, a negro man severely bruised, and a negro child is missing. Mrs. Brown was dead when reached by the firemen. The building was old, but was considered safe.

**OBJECTIONS TO THE CANBY BILL.**

The following objections to the Canby Bill, Constitution, says the Raleigh *News*, are patent to every one who has the real interest of the State at heart:

1. It increases public expenses.

2. It is crowded with matters that should be left to the Legislature.

3. It is so confused and complicated that the separate branches of the government are constantly invading the rights of each other.

4. It abandons legislative matter renders our State Government incapable of adapting itself to varying circumstances.

5. It permits a convict just released from the Penitentiary, to enact our laws.

6. Its entire machinery is unsuited to our sparsely settled country.

7. It permits too great secrecy in probate and Justice's Courts, and in Chamber practice.

8. It confuses Judges to their circuit.

9. It is the result of a military order and not the work of North Carolinians.

10. It makes the Supreme Court an autocrat.

11. It fosters a corrupt judiciary by pecuniary elections.

We are again placed under obligations to our fair friend in Washington city, for the highly valued privilege of placing before our readers some more of her sweet verse.

We feel quite sure that all lovers of poetry take as much pleasure in reading as do in printing the verses of Miss Esmeralda Boyle.

For the Journal.

**Under the Grasses of Summer.**

Under the grasses of Summer,  
That tremble, and quiver and wave,  
With the gold light shining on her,

She lies in her grave.

Through the days of the sweet-breathed Summer.

Over fields of the wind-swayed grass,

The hours, the glistening armor,

As nothing else can do.

At, then, the queen of the garden !  
Not then known in the shade, deep heart,

That death, in a garland of roses,  
Had hidden his dart ?

Keen with the keenness of parting,

And marked with the symbols of strife —

Dark with the shadow of sorrow.

The sorrow of life !

**Good Things.**

Have C. D. Myers & Co., and you ought to take their word for it, nothing is better in advertising.

But go there and see for yourselves, and purchase. A few bottles of their claret, with ice, and just such weather as to-day—well, we shall suppose he took arsenic.

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**General Lee Visited this State**

long before his death a gentleman, who knew him well, asked his opinion of Sherman's conduct. This, it must be remembered, was several years after the time when there were those who said that we are now of course giving a true judgment. What passing is given as follows:

O. H.—"General Lee, I desire to ask a question, which you will please not reply to if there is any impropriety in doing so."

General Lee—"Ask it, sir."

H. H.—"Was General Sherman, in his march through the country, justified, under the usages of war, in burning our homes over the heads of our wives and children while we were in the field?"

General Lee—"Ask our law,

He was not justified under the usages of war."

It was said from the lips of the gentleman to whom General Lee said these words. They are worthy of note, and the phrase that General Lee used in speaking of Sherman will be remembered to Sherman's shame when every other bitterness of the war is forgotten. "It was the act of a savage."

Correspondence of the Journal, Charlotte.

**BY TELEGRAPH.**

**WEST INDIES.**

**THE SPANIARDS CHASING A BRITISH VESSEL.**

**TWO PORTS CAPTURED BY THE CUBAN INSURGENTS.**

**NEW ADVERTISEMENTS.**

**Thermometer 100 Dogs.**

This almost unprecedented warm weather has come upon us, and the question of the day being how to keep cool, we would advise our numerous friends and customers to try our large and carefully selected assortment of

**TRADE MARK.**

**WORCESTERSHIRE SAUCE.**

**LEA & PERRINS'**

**CELEBRATED**

**BY**

**POOL & HUTCHINSON**

**7,000 NOW IN USE**

**Simple, Strong, Delicate,**

**Portable & Stationary**

**Factories, also, of**

**Oil Mill Machinery,**

**Processe**

**Frankfurter**

**BAKERS,**

**PAINTERS,**

**DRUGGISTS,**

**DRY CLEANERS,**

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